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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,802	01/13/2004	Yung-Chuan Tseng	OTMP0061USA	1801

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NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

BLACKMAN, ROCHELLE ANN J

ART UNIT PAPER NUMBER

2851

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,802

Applicant(s)

TSENG ET AL.

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ono (U.S. Patent Application Publication No. 2001/0022650).

Regarding claim 1, Ono discloses an exhausting structure (see W of FIGS. 5 and 8) used in a rear projection TV (see 100 of FIGS. 2-6) comprising: a ventilating chamber (see area where element 200 is located inside "rear projection TV" 100 in FIGS. 3, 5, 6, and 8) which is located inside the TV and has two sides, one side being a casing (see 101 of FIGS. 2, 3, and 8) of the TV; an outlet (see 108, 108a and 111 of FIGS. 5-8) formed on the casing, a fan (see 52 of FIGS. 3 and 8) mounted on the other side opposite to the casing; a conduit (48 of FIGS. 5 and 6) having two ends, one end thereof connecting to the fan (see opening with "fan" 52 in FIG. 8) and the other end thereof communicating the outlet (see 108, 108a or 111 in FIGS. 5, 6, and 8).

Regarding claim 2, Ono discloses wherein a spacer (see 129 of FIG. 8) is mounted opposite to the casing to define the ventilating chamber, and a through hole (see location of "fan" 52 relative "spacer" 129) is formed through the spacer for the mount of the fan.

Regarding claim 3, Ono discloses wherein a cover (see 129 of FIG. 8) is mounted on the ventilating chamber.

Regarding claim 4, Ono discloses wherein a light source (see 2 of FIG. 8) is further mounted in the TV near the fan.

Regarding claim 5, Ono discloses wherein a fence is formed at the outlet (see 79 of FIG. 8).

Regarding claim 6, Ono discloses wherein the conduit is bent to prevent external transmission of light (see structure of 48).

Regarding claim 9, Ono discloses wherein the casing has a backward shrunken side adjacent to the ventilating chamber (see structure of "casing" 101 in FIGS. 2, 3, and 8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono (U.S. Patent Application Publication No. 2001/0022650) in view of Onishi et al. (U.S. Patent Application Publication No. 2002/0008852).

Ono discloses the claimed invention except for the conduit being formed of "sound-absorptive material" and/or "rubber".

Onishi teaches providing a conduit (see 5 of FIG. 6) being formed of a sound-absorptive material and/or rubber (see pg. 3, of paragraph [0046]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the Ono reference with a conduit made of a sound-absorptive material and/or rubber, as taught by Onishi for purpose of altering the shape of the conduit to change the position of the outlet in the casing of the rear projection TV (see pg. 3, paragraph [0046]).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (571) 272-2113. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RB


JUDY NGUYEN
SUPERVISORY PATENT EXAMINER